

S. HRG. 108-14

CÉSAR ESTRADA CHÀVEZ; CATOCTIN MOUNTAIN PARK; RIM OF THE VALLEY CORRIDOR; AND WIND CAVE NATIONAL PARK

MARCH 4, 2003



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CÉSAR ESTRADA CHÀVEZ; CATOCTIN MOUNTAIN PARK; RIM OF THE VALLEY CORRIDOR; AND WIND CAVE NATIONAL PARK

TUESDAY, MARCH 4, 2003

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met pursuant to notice, at 2:33 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Craig Thomas presiding.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. Welcome to all of you. This is the—and Senator McCain, the administration's representatives, and witnesses for today's Parks Subcommittee. We will receive testimony on four bills. These bills are fairly straightforward. And we should be able to move for their consideration on our next business meeting, I would think.

S. 164 would authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Chávez and the farm labor movement.

S. 328 renames the Catoctin Mountain Park in Maryland to Catoctin Mountain National Recreation Area.

S. 347 directs the Secretaries of the Interior and Agriculture to conduct a joint study to evaluate the suitability and the feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountain National Recreation Area.

S. 425 would revise the boundary of the Wind Cave National Park to include approximately 5,675 acres of land.

So these are the bills we will be talking about. And we are very pleased today to have Senator McCain with us, and also Congressman Adam Schiff.

So, Senator, if you would like to begin.

PREPARED STATEMENT OF HON. TOM DASCHLE, U.S. SENATOR FROM SOUTH DAKOTA

Mr. Chairman, I want to thank you and Senator Akaka for convening today's hearing on the Wind Cave National Park Boundary Revision Act (S. 425). I am proud to sponsor this bill, which will benefit not only my home state of South Dakota, but the entire nation by expanding the protection of natural resources near the park. I first introduced this legislation during the 107th Congress, and it received a favorable hearing from this Committee last September. The Senate passed

the bill unanimously in November, but the House of Representatives was unable to consider the bill before Congress adjourned for the year.

Wind Cave National Park, located in southwestern South Dakota, is one of the Park System's precious natural treasures and one of the nation's first national parks. The cave itself, after which the park is named, is one of the world's oldest, longest and most complex cave systems, with more than 103 miles of mapped tunnels. The cave is well known for its exceptional display of boxwork, a rare, honeycomb-shaped formation that protrudes from the cave's ceilings and walls. While the cave is the focal point of the park, the land above the cave is equally impressive, with 28,000 acres of rolling meadows, majestic forests, creeks, and streams. As one of the few remaining mixed-grass prairie ecosystems in the country, the park is home to abundant wildlife, such as bison, deer, elk and birds, and is a National Game Preserve.

The Wind Cave National Park Boundary Revision Act would authorize the National Park Service to take advantage of an opportunity to acquire property from willing sellers neighboring the park. The land in question lies within the southern "keyhole" region, and is a natural extension of the park. It contains the same mixed-grass prairie and ponderosa pine forests found in the rest of the park, including a dramatic river canyon. The addition of this land will enhance recreation for hikers who come for the solitude of the park's back country. It will also improve fire management in the area and protect archaeological sites, such as a buffalo jump over which early Native Americans once drove the bison they hunted. I understand this would be the first site of its kind in the National Park System.

This plan to expand the park has strong support in the surrounding community, whose views were expressed during a 60-day public comment period on the proposal last summer. Most South Dakotans recognize the value in expanding the park, not only to encourage additional tourism in the Black Hills, but to permanently protect these extraordinary lands for future generations of Americans to enjoy. Understandably, however, some are legitimately concerned about the potential loss of hunting opportunities and local tax revenue.

Congressman Bill Janklow, during his term as Governor of South Dakota, expressed his support for the park expansion, as long as it (1) does not reduce the amount of land with public access that currently can be hunted, (2) there is no loss of tax revenue to the county from the expansion, and (3) chronic wasting disease issues are dealt with effectively. These are reasonable conditions that should be met as this process moves forward.

In response to these concerns, the National Park Service modified its original proposal to exclude 880 acres of School and Public Lands property from the expansion. This will help maintain public hunting access to these areas, and protect local county tax revenues. In addition, the South Dakota Game, Fish, and Parks Department has reached an agreement with Wind Cave officials to monitor the occurrence of chronic wasting disease in elk and deer herds in the park, which will help officials better understand the disease. I am satisfied that the proposal put forth by the Park Service effectively addresses these concerns. The question of tax revenue for the counties is one that Congress must address through the Payment in Lieu of Taxes program, which provides direct payments to counties with federal land. I look forward to working with my colleagues to fully fund this important program.

Wind Cave National Park has been a valued American treasure for more than 100 years. This legislation provides us an opportunity to expand the park and enhance its value to the public, so that visitors will enjoy it even more during the next 100 years. It is my hope that my colleagues will support this expansion of the park and pass this legislation expeditiously.

Again, thank you for holding this hearing. I look forward to working with the Chairman and the rest of the committee as it considers this legislation.

PREPARED STATEMENT OF HON. DIANNE FEINSTEIN, U.S. SENATOR
FROM CALIFORNIA

Mr. Chairman, I would like to begin by thanking you and the members of this Committee for your early consideration of this bill, the "Rim of the Valley Corridor Study Act", S. 347, which is so important to me and the people of California.

I am delighted to introduce my colleague and friend, Congressman Adam Schiff, the distinguished Representative from the 29th district of California, who will be testifying today in support of this bill that we both feel strongly about.

I would also like to welcome Joseph Edmiston, the Executive Director of the Santa Monica Mountains Conservancy, who flew from California to Washington with very

short notice to lend his strong support for this bill. I appreciate your hard work and dedication for getting this job done.

Congressman Schiff and I have been working in tandem on companion versions of this bill to authorize the Secretaries of Agriculture and Interior to conduct a joint resource study on the feasibility of including the Rim of the Valley Corridor in the Santa Monica Mountains National Recreation Area. We have worked diligently to address the concerns that the National Park Service posed to us last year during their testimony before this body and believe that this bill represents a well-balanced approach to land conservation.

Last year, this bill was passed out of the full Committee favorably, but the 107th Congress ended before it passed the Senate. I am hopeful that it will be successfully passed out of Committee and the Senate this year and I look forward to working with my colleagues on this Committee to do just that.

**PREPARED STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR
FROM SOUTH DAKOTA**

Thank you, Chairman Thomas and Ranking Member Akaka, for holding today's hearing to receive testimony on the Wind Cave National Park Boundary Revision Act (S. 425). I support the legislation and am proud to join Senator Daschle as a cosponsor. As a member of the Energy and Natural Resources Committee, I look forward to working with Chairman Thomas to move this bill through the committee process. With an established legislative history from the 107th Congress, it is my hope that this committee will pursue the same course of action so that the full Senate may consider the bill.

Wind Cave National Park is one the nation's first national parks, containing in its boundaries one of the greatest expanses of underground cave complexes in North America. Established in 1903, Wind Cave National Park protects one of the world's oldest known cave formations with hundreds of miles of underground compartments. Amazingly, scientific measurements indicate that only five percent of the total cave has been discovered.

With the option to acquire approximately 5,500 acres of land from willing sellers, Wind Cave National Park has a once-in-a-generation opportunity to significantly enhance one of the last remaining mixed-grass prairie ecosystems in the world. The acquisition of this land adjacent to the southern boundary of the park will preserve a key archeological site described as one of the only existing buffalo jumps used by Native Americans as they hunted the giant animal.

I believe that the local park officials have done a good job reaching out to the community and working to modify their original proposal to conform with the interests of landowners and the State of South Dakota. As with any land acquisition initiative the question of compensating local government's for the lost tax revenue is extremely important. The matter is particularly acute in western South Dakota, where large tracts of federal land result in particular challenges. To that end, I call on Congress to fully fund the Payment in Lieu of Taxes program and provide a dedicated revenue source to compensate local communities that have significant amounts of federal lands in the counties. Last year, I joined Senator Bingaman as a cosponsor of legislation that provides for the full authorized amount of PILT funds to be made available to the Interior Department. I understand that Senator Bingaman will be reintroducing this bill again in the 108th Congress, and I look forward to correcting the unfair system that shortchanges several South Dakota counties.

The Wind Cave National Park is a South Dakota treasure shared with the entire world through the stewardship of the National Park Service. It is my hope that the Committee will take the appropriate steps and demonstrate positive action in the consideration of this bill.

**STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR
FROM ARIZONA**

Senator McCAIN. Thank you very much, Mr. Chairman. And I, one, appreciate you starting on time; second of all, I know your request is for us to be brief, and I will do so. And I thank you for allowing me to say a few words today on behalf legislation which would be called the César Chávez Study Act. It would begin the process where we could preserve landmarks and sites associated with the life of this great American.

The bill, as you know Mr. Chairman, authorizes the Secretary of the Interior to determine whether any of these sites meet the criteria for being listed on the National Register of Historic Landmarks.

Mr. Chairman, you are aware of the place that César Chàvez has in history, as I do. He was a man whose career was not without controversy. But he had, always uppermost in his mind, the betterment of the lives of his fellow citizens. Bobby Kennedy called him "one of the heroic figures of our time." I believe that he earned a place in American history, not only because of his advocacy for farm workers but for all Americans.

His achievements are well known. His legacy lives on all over my part of the country, where people continue to struggle for better working conditions, and equal opportunities, and better education. I think he is a man who deserves to have a continuing preservation of his achievements, so we can have him as an example for all of our citizens, especially young Hispanics.

And I want to thank you for considering this legislation. And I thank you for the opportunity. And I would ask that my complete statement be made part of the record.

Senator THOMAS. It will be made part of the record, Senator.

Senator MCCAIN. Thank you, Senator Thomas.

Senator THOMAS. Thank you.

[The prepared statement of Senator McCain follows:]

PREPARED STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

I would like begin by thanking the distinguished Chairman Thomas along with Ranking Member Akaka for allowing me to testify today on the matter of great importance to me and the state of Arizona.

César Estrada Chàvez embodied American ideals and should be considered among the greatest leaders of American history. A fellow Arizonan, born in Yuma, he was the son of migrant farm workers. Though he no doubt loved qualities of life associated with his family's Hispanic heritage, he will be remembered for the sincerity of his American patriotism. He fought to help Americans transcend distinctions of experience and share equally in the rights and responsibilities of freedom. He made America a bigger and better nation. Bobby Kennedy called Chàvez "one of the heroic figures of our time." For all of these reasons, I come before you today to express my support for the César Chàvez Study Act.

Although his formal education ended in the eighth grade, Chàvez possessed an insatiable intellectual curiosity, was self-taught in many fields and well read throughout his life. After serving in the U.S. Navy during World War II, Chàvez returned to the southwest and began his life as a community organizer and leader.

While Chàvez and his family migrated across the southwest looking for farm work, he evolved into a defender of worker's rights. His motto in life "si se puede" (it can be done) epitomizes the his life and work. Chàvez's dream was to establish an organization whose main purpose was to serve the immigrant farm workers, who he had worked beside and whose hardships he could understand. In 1962, he founded the National Farm Workers Association, which later became the United Farm Workers of America.

Through the United Farm Workers of America, Chàvez attained fair wages, medical coverage, pension benefits, and humane living conditions, along with countless other rights and protections for farm workers. He organized successful strikes and boycotts that led to the first industry-wide labor contracts in agriculture. His union brought about the passage of the 1975 California Agricultural Labor Relations Act to protect farm workers. Today, it is the only law that protects the farm workers' rights to unionize.

Chàvez used peaceful tactics such as fasts, boycotts, strikes, and pilgrimages. In 1968, he fasted for 25 days to affirm his commitment and that of the farm labor movement to non-violence. He fasted again for 25 days in 1972, and in 1988, at the age of 61, he endured a 36-day "Fast for Life" to highlight the harmful impact of

pesticides on farm workers and their children. In 1994, César Chàvez was awarded the Presidential Medal of Freedom, the highest civilian honor in America.

César Chàvez gave a voice to those that had no voice. In his words: "We cannot seek achievement for ourselves and forget about progress and prosperity for our community . . . our ambitions must be broad enough to include the aspirations and needs of others, for their sakes and for our own."

In this time when our nation is recognizing its heros, it is important to remember and preserving those from our past. The César Chàvez Study Act would begin this process by which we could preserve the landmarks and sites associated with the life of César Estrada Chàvez. This bill specifically authorizes the Secretary of the Interior to determine whether any of the sites meet the criteria for being listed on the National Register of Historic Landmarks. The study would be conducted within three years. The goal of this legislation is to establish a foundation for a future bill that will designate land for these sites to become historic landmarks.

Landmarks all across the Southwest would be considered as potential historic landmarks.

Many community organizations, including the César E. Chàvez Foundation have supported and helped to pull together this important piece of legislation.

Thank you again for the opportunity to speak here today and I look forward to working with the Subcommittee and the Committee on this important piece legislation.

Senator THOMAS. I do not mean to question you but what kinds of sites do you envision might be involved here?

Senator MCCAIN. Well, I guess where his headquarters were, although obviously his work took him all over the Southwest. The place of birth, which happens to be Yuma, Arizona; places where he conducted some of his most historic protests for better living and working conditions.

I think all of those could be considered. And I do not think many of them would be designated. But I think it would be a way of preserving the memory of his achievements, something like that.

Senator THOMAS. Sure. Well, thank you very much, Senator. Appreciate you taking the time to be here.

Senator MCCAIN. Thank you very much, Mr. Chairman.

Senator THOMAS. Congressman, would you care to go ahead?

**STATEMENT OF HON. ADAM SCHIFF,
U.S. REPRESENTATIVE FROM CALIFORNIA**

Representative SCHIFF. Thank you, Mr. Chairman. It is a pleasure to join you today. And I appreciate the opportunity to testify in support of S. 347, the Rim of the Valley Corridor Study Act. As the author of the House version of the bill, I want to express my gratitude to Senator Feinstein for her leadership, on behalf of all Californians, in introducing the legislation.

S. 347 would call for a study by the National Park Service and the U.S. Forestry Service of the feasibility and suitability of expanding the Santa Monica Mountains Recreation Area. The Rim of the Valley is home to some very rare environmental treasures, including one of the most endangered habitat areas in the world, the Mediterranean Chaparral ecosystem, found only here and in South Africa.

This environmentally sensitive area is located in one of the most densely populated areas in the United States. The greater southern California region has the Nation's second largest urban concentration. Remarkably, about one in every 10 Americans lives in this region. At the same time, the area has one of the lowest ratios of park and recreation lands per thousand population of any area in the country.

So, this rapidly growing urban region is under-served in terms of open space; and this is likely only to get worse. In 1978, Congress established the Santa Monica Mountains National Recreation Area. They worked together, then and now, in a remarkable way to manage this, the world's largest urban park. Now, a quarter of a century later, facing great population demands and pressures, we have the opportunity again to be forward-thinking and help preserve this wilderness area for future generations.

We amended this bill, or Senator Feinstein has amended the Senate version. We have done the same in the House, in response to comments that the chair made last year and that the National Park Service made as well. The bill now authorizes a joint study between the Department of the Interior and the Department of Agriculture, since the Rim of the Valley incorporates lands that are now managed by the Park Service and others by the Forest Service. Together the Park Service and Forest Service can decide on the most appropriate way to protect this environmental treasure for future generations.

Second, we eliminated the bill's provisions for a 17-member advisory commission. This was felt unnecessary in this provision, as this type of special resource study automatically entails extensive public outreach to communities and local governments.

The bill also will references the criteria for the Park Service explicitly contained in 16 U.S.C. sections 1 through 5, I know a key area of interest of the chair, to make sure that the criteria for the National Park Service was explicitly referenced and considered.

In addition to public lands that are already in these areas are private lands. The Santa Monica Mountains National Recreation Area, part of the Park Service is permitted to acquire private property from voluntary sellers or donors only and is prohibited from using the powers of eminent domain. And as Joe Edmiston, who is here to testify, also, the executive director of the Santa Monica Mountains Conservancy can articulate, we have had some tremendous public/private partnerships in this region. And those opportunities would only increase under this study.

So it is my hope, Mr. Chairman, that the Rim of the Valley Study Corridor Act can embody a similar vision of a California enhanced by not only what was built but what is preserved. And the bill in the House enjoys a very strong bipartisan support, including Representatives Howard Berman, David Dreier, Buck McKeon, George Miller, Brad Sherman, and Hilda Solis.

And I want to thank you again for the opportunity to come in and testify. And I know Mr. Edmiston will be able to give greater content to the nature of the bill.

[The prepared statement of Mr. Schiff follows:]

PREPARED STATEMENT OF HON. ADAM SCHIFF, U.S. REPRESENTATIVE
FROM CALIFORNIA

Good afternoon, Chairman Thomas and members of the Subcommittee. I appreciate the opportunity to testify before you today in support of S. 347, the Rim of the Valley Corridor Study Act. As the author of the House version of the bill, I would like to express my gratitude to Senator Feinstein for her leadership on behalf of all Californians in introducing this legislation in the Senate.

S. 347 would call for a study by the National Park Service and the U.S. Forest Service of the feasibility and suitability of more than doubling the size of the Santa Monica Mountains National Recreation Area. The Rim of the Valley consists of parts

of the Santa Monica Mountains, the Santa Susanna Mountains, the San Gabriel Mountains, the Verdugo Mountains, the San Rafael Hills, and adjacent connector areas to the Los Padres and San Bernardino National Forests. The Rim of the Valley is home to very rare environmental treasures, including one of the most endangered habitat areas in the world, the Mediterranean Chaparral ecosystem, found only here and in South Africa.

This environmentally sensitive area is located in one of the most densely populated areas in the United States. The greater Southern California metropolitan region has the nation's second-largest urban concentration; about one in every ten Americans lives in this region. At the same time, this area has one of the lowest ratios of park-and-recreation-lands per thousand-population of any area in the country. So this rapidly growing urban region is very underserved in terms of open space needs. Unless action is taken soon, this situation will only worsen as the region continues to be subjected to intense growth.

Since Congress set aside the Santa Monica Mountains National Recreation Areas in 1978, federal, state and local authorities have worked in remarkable cooperation to manage what is the world's largest urban park. Now, nearly a quarter-century later and in the face of tremendous projected population growth and development pressures, Congress, by passing this bill, again will have the opportunity to help safeguard and supplement the existing state and local parks, open space and recreational opportunities in Southern California.

We have amended this bill in response to comments from the National Park Service. First, the bill now authorizes a joint study between the Department of Interior and the Department of Agriculture, since the Rim of the Valley incorporates some lands that are now managed by the Park Service and others managed by the Forest Service. Together, the National Park Service and the U.S. Forest Service can decide on the most appropriate way to protect this environmental treasure for future generations. Secondly, we eliminated from the bill explicit provisions for a 17-member advisory commission. This provision was felt to be unnecessary, as this type of special resource study conducted by the National Park Service automatically entails extensive public outreach to communities and local governments.

In addition to protected land, the Rim of the Valley Corridor encompasses private property. However, within the Santa Monica Mountains National Recreation Area, the Park Service is permitted to acquire private property from voluntary sellers or donors only and is prohibited from exercising the powers of eminent domain. Indeed, private ownership need not be incompatible with open space preservation efforts, and there are many good examples of private-public partnerships in the Santa Monica Mountains which have served to maintain the beauty of open space and preserve the rights of property owners.

It is my hope that the Rim of the Valley Corridor Study Act will embody a similar dream and vision—of a Southern California enhanced not only by what was built, but also by what was preserved. This legislation enjoys strong bipartisan support, and the House version is supported by Republican and Democratic Members of Congress whose district includes portions of the Rim of the Valley Corridor, including Representatives Howard Berman, David Dreier, Howard "Buck" McKeon, George Miller, Brad Sherman and Hilda Solis. I thank you for your attention, and ask for your support for the Rim of the Valley Corridor Study Act.

Senator THOMAS. Okay. Fine. I have a few questions, but I will hold them and ask the other witnesses then to do that.

Representative SCHIFF. Thank you, Mr. Chairman.

Senator THOMAS. Thank you for taking time to be here. We appreciate it.

Well, if the other members, congressional members come, why, we will make time for them when they arrive.

In the meantime, secondly, let us go ahead then with our panel, Mr. Tiller and Mr. Edmiston.

Okay. Thank you, gentlemen. Why do we not start with Mr. Edmiston. You wanted to talk on the one bill.

**STATEMENT OF JOSEPH T. EDMISTON, EXECUTIVE DIRECTOR,
SANTA MONICA MOUNTAINS CONSERVANCY**

Mr. EDMISTON. Yes, Mr. Chairman; thank you. My name is Joseph Edmiston; I am executive director of the State of California, Santa Monica Mountains Conservancy. We were established by legislation in 1980. And the current boundary of the Santa Monica Mountains Conservancy's jurisdiction includes the Rim of the Valley Corridor Area encompassed in Senator Feinstein's bill. And you will see here a map. The colored area shows the Rim of the Valley and the Santa Monica Mountains together.

Mr. Chairman, I think this is a very significant bill, because for the first time we are looking at protection of entire habitat areas, as opposed to many political jurisdictions. There was time when the Santa Monica Mountains was established when we were thinking of parks as we have a jewel here and then a jewel over here. And we were not really thinking about the connectivity.

And this bill takes a look at natural resource connectivity and says, here is what the resource is, let us let the two premier land management agencies of this country, the Forest Service and the Park Service, get together and figure out how best to protect those resources. Mr. Chairman, that is why we think that this is a very significant bill or significant approach.

Second of all, why now? These areas, right now, consist of a—we can save these areas. Surprisingly enough, we can actually save real nature surrounding the Los Angeles metropolitan area. But we are not going to be able to do that forever. Within the next 5 or 10 years, development pressure will likely eat away holes in this system and make this preservation impractical in the future. So that is why we need to address this issue now, Mr. Chairman.

Finally, the Santa Monica Mountains Conservancy will make available up to \$100,000, probably on the higher end of that, up to, to work with our colleagues in the Forest Service and the Park Service to develop this study. We commit this resource from the State of California, if Congress goes ahead and appropriates its own money or if the Forest Service and the Park Service can come up with funds to do this study.

So, we think this would be very forthcoming. There is a lot of research that has been done, Mr. Chairman, on these areas, including a general management plan for the national recreation area. And the Forest Service is already doing their management plan. So, we are talking about adding additional State resources to those resources which are already being applied to this issue.

Thank you very much. I would be happy to answer your questions.

[The prepared statement of Mr. Edmiston follows:]

**PREPARED STATEMENT OF JOSEPH T. EDMISTON, EXECUTIVE OFFICER,
SANTA MONICA MOUNTAINS CONSERVANCY**

Mr. Chairman, we appreciate the opportunity you have afforded the Santa Monica Mountains Conservancy to express its support for S. 347, the Rim of the Valley Corridor Study Act.

The Santa Monica Mountains Conservancy is the principal agency of the State of California charged with protection of open space and the natural resources of almost three quarters of a million acres surrounding the Los Angeles Metropolitan Area. Since 1983 the Mountains Conservancy has had the responsibility acquiring park

and open space land, building trails, and providing for other public access improvements within the Rim of the Valley Corridor.

Successive state legislative amendments have expanded the territory of the Rim of the Valley Corridor so that it now encompasses a major portion of the Santa Monica Mountains, the Santa Susana Mountains, Simi Hills, Verdugo Mountains, San Rafael Hills, and the portion of the San Gabriel Mountains within the upper Los Angeles River watershed. This was done in recognition of the essential ecological unity of the mountains system in southern California and the artificiality of limiting protection to only a portion of it.

The importance of the Rim of the Valley Corridor is twofold: The striking natural scenery and open space that still encircles the greater Los Angeles area, and the proximity of those natural resources to the ten million residents of Los Angeles and Ventura Counties.

In 1978, Congress established the Santa Monica Mountains National Recreation Area acknowledging that it was a special area, almost unique in the park system, in that the National Recreation Area would be administered cooperatively with the state, regional, and local governments. That model has worked splendidly. There is now a seamless web of parkland extending from the beaches of Malibu to the height of Simi Peak, from the heart of downtown Los Angeles fifty miles west to Mugu Lagoon which is one of the last of California's unspoiled coastal wetlands. Although the Santa Monica Mountains NRA is far from complete, the outlines of its success are apparent. The Federal government has provided both material and intellectual resources that have coalesced and stimulated a much wider movement for the protection of the area and making it accessible for public recreation opportunities. The original authorization for the SMMNRA was \$155,000,000, but to date the Santa Monica Mountains Conservancy of the State of California has doubled that, and the California State Parks Department has spent another \$60,000,000 or so, and intends to spend more.

There is every indication that including the Rim of the Valley Corridor within the Santa Monica Mountains National Recreation Area will have the same positive effect upon the protection of ecological communities and the well-being of human communities in northern Los Angeles and eastern Ventura counties. However, this bill does not presuppose an outcome, it merely directs a study. And a cooperative one at that. The National Park Service model has worked well for the Santa Monica Mountains proper, and can be readily adapted for most of the Rim of the Valley Corridor. In the eastern Rim of the Valley there may be institutional arrangements that recognize the vital role played by the Angeles National Forest—America's most visited National Forest—in protecting the San Gabriel Mountains and making them accessible for recreation purposes. By requiring a joint study by both the Secretary of the Interior and the Secretary of Agriculture, this bill makes it probable that what will emerge from the study is a method of protecting and enhancing this special area that will use the best resources of the National Park Service and the U.S. Forest Service.

Last year, the Administration expressed concern about the number of park studies being undertaken, although it did not oppose the identical bill that was reported out of this committee last year.

Let me emphasize why S. 347 is so urgent. While the satellite photos of southern California still show the wreath of green represented by the Rim of the Valley Corridor, land use decisions pending within the next few years can change all of that forever. Decisions will be made in that time frame by major landowners whether or not to engage in park partnerships—and many times sale for park and recreation purposes is a preferred choice for local property owners—or whether to commit the land to residential and commercial development. Local government planning and zoning decisions need to be informed by whether there will be a Federal initiative to protect this area. The introduction of similar measures in both houses of Congress last year stimulated a rush of local interest and support. There is a lot of good will resting on the swift completion of the study.

The Santa Monica Mountains Conservancy stands ready to help in any way we can. Our data bases, planning studies, and personnel will all be made available. Even more significantly, I am prepared to recommend that we assist our colleagues in the Interior and Agriculture Departments with financial support for this study as well.

Mr. Chairman, this concludes my statement and I would be happy to address any questions the committee may have.

Senator THOMAS. Okay. Thank you so much. We will get back to you for questions.

Senator, do you have any opening comments?

**STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR
FROM HAWAII**

Senator AKAKA. Thank you, Mr. Chairman; thank you very much. I want to welcome our panelists to this hearing. Mr. Chairman, I want to thank you for scheduling this hearing. Since this is our first meeting of the National Park Committee this year, let me congratulate you on resuming—

Senator THOMAS. Thank you.

Senator AKAKA [continuing]. The chairmanship of the sub-committee. And I believe we have established a solid record of working together on a vast majority of park-related bills in a bipartisan manner. And I hope we will be able to continue this tradition this year.

Senator THOMAS. Thank you, sir. Thank you for being here.

Gentlemen, if you will, we will move to the Senator to have him make his comments. Welcome, sir.

**STATEMENT OF HON. PAUL S. SARBANES, U.S. SENATOR
FROM MARYLAND**

Senator SARBANES. Well, Mr. Chairman, thank you very much. And Senator Akaka and I are pleased to be here. And I am sorry I was precluded from arriving right at the beginning by my inability to get out of the previous meeting, to be very honest about it.

I want to thank you for this opportunity to testify on S. 328, legislation which Senator Mikulski and I have introduced to re-designate what is now known as the Catoctin Mountain Park as Catoctin Mountain National Recreation Area. We need legislation in order to this. And the purpose of this legislation is to address a long-standing confusion about the ownership and management of Catoctin Mountain Park and to clearly identify it as a unit of the National Park System.

It is approximately a 6,000-acre park located on the front range of the Blue Ridge Mountains in Frederick County, Maryland, about a little more than an hour's drive from the Capital. It is home to Camp David. One travel writer has aptly described it as America's most famous unknown park.

There is an interesting history about how Catoctin Mountain Park was created and developed. It was established in 1933 under the Roosevelt administration's National Industrial Recovery Act as one of 46 recreational demonstration areas. The Federal Government acquired more than 10,000 acres of heavily logged land in Frederick County, Maryland, to demonstrate how sub-marginal land could be turned into a productive recreational area and help put people back to work.

In 1936, the administrative authority for this recreational demonstration area was transferred to the National Park Service by Executive Order. In 1942, Camp High Catoctin, now known as Camp David, was selected as the location for the President's new retreat.

Subsequently, they transferred approximately 5,000 acres to the State of Maryland. And that became what is known as Cunningham Falls State Park, which was just below the Catoctin Park. The remaining 5,700 acres was renamed Catoctin Mountain Park by the Director of the National Park Service in 1954. Unfortu-

nately, the Director failed to include the term national in the title. And the park remains today one of only 17 units in the entire 388-unit National Park System that does not have this designation.

Now, what has happened over the years is the proximity of the Catoctin Mountain Park, Camp David, and Cunningham Falls State Park. And the difference between National and State park management has been the source of confusion for visitors to the area. Catoctin Mountain Park has continually been misidentified by the public as the Cunningham Falls State Park, which has a lake and a beach area and so forth. It has also been confused with the Catoctin Wildlife Preserve and Zoo, a privately owned enterprise.

The superintendent of the park says they spend a lot of time trying to redirect visitors. We think this legislation will help to clear up some of this confusion by renaming this the Catoctin Mountain National Recreation Area.

There are some 18 such units designated as such in the Park Service. We have strong letters of endorsement here from the Board of Commissioners of Frederick County and the Tourism Council of Frederick County, in which they say, amongst other things, that their visitor center staff spends a good deal of time sorting out for visitors the difference between Catoctin Mountain Park and the adjacent State park. They think that putting national into the name, national recreation area, will help to clarify this distinction.

It would not change any of the activities taking place but I think it would be very helpful in enhancing tourism and making people more aware of the National Park Service's involvement and eliminating this confusion that now exists. And I commend the legislation to the committee and hope you will be able to move it forward.

I would be happy to answer any questions you might have.

Senator THOMAS. Thank you very much. Basically, then, it does not impact the management of it either, is that correct?

Senator SARBANES. No. The management is in favor of this name change, both at the park level and up through the Park Service. And I will submit for the record the two letters I have from the local county commissioners and the Tourism Council of Frederick County.

Senator THOMAS. We will include those in the record.

Senator SARBANES. Thank you very much.

[The prepared statement of Senator Sarbanes follows:]

PREPARED STATEMENT OF HON. PAUL S. SARBANES, U.S. SENATOR FROM MARYLAND

Thank you Mr. Chairman and Members of the Committee for this opportunity to testify on S. 328, legislation I introduced, together with Senator Mikulski, to re-designate Catoctin Mountain Park as "Catoctin Mountain National Recreation Area." The purpose of this legislation is to help address longstanding confusion about the ownership and management of Catoctin Mountain Park and to clearly identify this park as a unit of the National Park System.

Mr. Chairman, Catoctin Mountain Park is an approximately 6,000-acre park located on the front range of the Blue Ridge Mountains in Frederick County, Maryland, about an hour's drive from the Capitol. Home to Camp David, it has been aptly described by a travel writer as "America's most famous unknown park." There is a remarkable history about how Catoctin Mountain Park was created and developed and I just want to highlight some of the major milestones so that the Committee perhaps better understand and appreciate what we are trying to accomplish with this legislation.

Catoctin Mountain Park was established in 1933 under the Roosevelt Administration's National Industrial Recovery Act as one of 46 Recreational Demonstration Areas (RDA). The federal government acquired more than 10,000 acres of heavily logged land in Frederick County, Maryland to demonstrate how sub-marginal land could be turned into a productive recreational area and help put people back to work. In November 1936, administrative authority for the Catoctin RDA was transferred to the National Park Service by Executive Order. From 1936 through 1941, hundreds of people were employed in reforestation activities and in the construction of a number of camps, roads and other facilities in the Catoctin RDA.

In 1942, Camp Hi-Catoctin, now known as Camp David, was selected as the location for the President's new retreat. Subsequently approximately 5,000 acres of the area was transferred to the State of Maryland, becoming Cunningham Falls State Park in 1954. The remaining 5,770 acres of the Catoctin Recreation Demonstration Area was renamed Catoctin Mountain Park by the Director of the National Park Service in 1954. Unfortunately, at that time, the Director failed to include the term "National" in the title. The park today remains one of 17 units in the entire 388 unit National Park System and one of 9 units in the National Capital Region that does not have this designation. Those units include four parkways, four wild and scenic rivers, the White House and Wolf Trap Farm Park for the Performing Arts.

Over the years, the proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park and the differences between national and state park management, has been the source of longstanding confusion for visitors to the area. Catoctin Mountain Park has been continually misidentified by the public as containing lake and beach areas associated with Cunningham Falls State Park, being operated by the State of Maryland, or being closed to the public because of the presence of Camp David. Likewise, a privately owned Catoctin Wildlife Preserve and Zoo is often confused with the park. The Superintendent of the Park has advised me that National Park employees spend countless hours explaining, assisting and redirecting visitors to their desired destinations.

My legislation would help to address this situation by renaming it the Catoctin Mountain National Recreation Area. The mission and characteristics of this park—which include the preservation of significant historic resources and important natural areas in locations that provide outdoor recreation for large numbers of people—make this designation appropriate. The National Park System includes 18 units designated as "National Recreation Areas" several of which are comparable to Catoctin.

Mr. Chairman, this legislation is not controversial. It is strongly supported by the Board of County Commissioners and Tourism Council of Frederick County. I ask that letters from the Frederick County Commissioners and the Tourism Council be included in the hearing record, following my statement. The legislation would not change recreation, conservation or education activities currently occurring within the park. But it would assist the visiting public in distinguishing between the many units of the state and federal systems. It will also, in my judgment, help promote tourism by enhancing public awareness of the National Park unit, and perhaps have future travel writers change the moniker of Catoctin from "America's most famous unknown park" to one of America's most famous parks.

I hope that the Committee can move swiftly to report this measure favorably to the full Senate for consideration.

Senator THOMAS. Any questions, Senator?

Senator AKAKA. I want to thank Senator Sarbanes for this change of name; and I know that the Park Service supports what you are doing, and I certainly do, too. Thank you.

Senator THOMAS. Okay. We are thinking of moving the Vice President's camp out to Teton Park in Wyoming.

[Laughter.]

Senator AKAKA. I have seen that park. That is a beautiful park; I have to tell you, probably one of the most beautiful in America.

Senator THOMAS. We all know he is there when the airplane comes in to Jackson.

Senator AKAKA. Yes; I can imagine.

Senator THOMAS. Thank you, Senator. We appreciate your—

Senator AKAKA. Thank you very much. And I thank the witnesses for the indulgence of allowing me to intrude into the discussion. Thank you very much.

Senator THOMAS. Thank you.

Okay. Mr. Tiller, would you like to go ahead, please?

STATEMENT OF deTEEL PATTERSON TILLER, ACTING ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. TILLER. Mr. Chairman, thank you for the opportunity to present the view of the Department of the Interior on these four bills. For brevity's sake, I will condense my remarks in support of the full written testimony already submitted to the subcommittee.

In the matter of S. 164, a bill authorizing the Secretary of the Interior to conduct a special resources study of sites associated with the life of César Chávez and the American farm labor movement, the Department supports S. 164 with one proposed minor amendment. We believe the study is a good opportunity to identify, protect, and interpret sites and places associated with Mr. Chávez's nationally important life and enormous social change resulting from his leadership.

We would suggest changing bill language to require the study to be completed 3 years after funding is made available, rather than 3 years after enactment, as is currently provided for in the bill. The National Park Service is now at various stages of completing over 40 congressionally authorized studies. Our highest priority now is on finishing these previously authorized by Congress. But we look forward to beginning this important study as soon as S. 164 becomes law and funding is made available.

In regards to S. 328, the bill to rename the Catoctin Mountain Park in the State of Maryland as the Catoctin Mountain National Recreation Area, the Department of the Interior supports the bill. In addition to changing the name, S. 328 provides much needed standard authorities, typical of national park units but missing at Catoctin Mountain, given its unique history going back to the 1930's.

The Department of the Interior also supports S. 347, a bill that directs the Secretaries of the Interior and Agriculture to conduct a joint resources study to establish the Rim of the Valley Corridor in Los Angeles, California. S. 347 further requires that the study evaluate the suitability and feasibility of establishing the area as a unit of the Santa Monica Mountains National Recreation Area, consulting with citizens of the appropriate State, county, and local governments.

We recognize the limitation nowadays of Federal resources to add to the Federal estate. And with a study area encompassing 491,000 acres, our approach will, of necessity, emphasize minimum Federal acquisition and management costs. And we would encourage large-scale public/private partnerships.

Also, given the size and diversity of stakeholders in this important area, the study must involve extensive outreach with members of the public, private landowners, and local governments; entailing multiple comment periods, public meetings, and analysis. We offer one minor technical correction to the bill, which is attached in my testimony.

And lastly in the matter of S. 425, a bill to revise the boundary of Wind Cave National Park in South Dakota. The Department of

the Interior cannot support this at this time, because of the associated high cost. The Department strongly backs the President's commitment to eliminate the deferred maintenance backlog in our national parks. We need to continue to focus resources on taking care of existing units of the National Park System.

The acquisition cost for the proposal, estimated between \$5 million and \$6 million, plus recurring annual increases to park operating costs, if the expansion becomes law, prevents our support.

Mr. Chairman, this concludes my testimony. I will be pleased to answer any questions you or other members of the subcommittee may have. Thank you.

Senator THOMAS. Okay. Thank you.

[The prepared statements of Mr. Tiller on S. 164, S. 328, S. 347 and S. 425 follow:]

PREPARED STATEMENTS OF DETEEL PATTERSON TILLER, ACTING ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 164, S. 328, S. 347, AND S. 425

S. 164

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 164, a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez and the farm labor movement.

The Department supports S. 164, with a minor amendment described later in the testimony. We believe that this study will provide a good opportunity to work with the César E. Chávez Foundation and others to identify valuable resources associated with the story of Chavez's life and the movement he led and ways to protect those resources.

The National Park Service is in various stages of progress with 40 studies previously authorized by Congress. At least 17 of those studies are scheduled to be completed in Fiscal Year 2003. Seven additional studies are expected to be completed early in Fiscal 2004. Our highest priority is to complete the studies previously authorized by Congress, but we expect to begin work on newly authorized studies as soon as funds are available.

Ask historians to name one person who had the greatest impact on farm labor, and the name of César Estrada Chávez leaps to mind. Between the 1950's and the 1980's Chávez cultivated a life-long commitment to bringing respect, dignity, and democracy to the nation's farmworkers, many of whom were Hispanic. After an initial career as a community organizer, Chávez focused his organizing skills on the farmworkers, inspiring them to look their employers in the eyes, stand up for their rights and take active roles in creating their union and wielding its power. As a result of his efforts, he continues to serve as a symbol not only for Hispanic-Americans, but for all Americans, of what can be accomplished in this country through unified, courageous, and nonviolent action.

Chávez's death on April 22, 1993, brought a resurgence of interest in his life and work and a new wave of assessments recognizing his national and, indeed, international significance. He has taken his place among other national labor leaders in the Department of Labor's Hall of Fame and been recognized by an ever-increasing number of states and communities with special holidays, events, and place names. Because of the tremendous impact he had, we believe it is appropriate to study sites associated with César Chávez and the farm labor movement he led in order to consider ways to preserve and interpret this story of enormous social change.

The National Park Service and the César E. Chávez Foundation first discussed the possibility of conducting a national historic landmark study of sites related to the work of Chávez and the farmworkers' movement several years ago, as a way of identifying sites important to the history of the man as well as the migrant worker. The Foundation represents and fosters the ongoing legacy of Chávez and has a strong interest in seeing that heritage preserved. In 2002, the National Park Service collaborated with the Foundation and scholars at universities in Washington State and California in preparing a preliminary assessment and scope for future research on sites associated with Chávez and the farmworkers' movement. The information gathered through that assessment would give the National Park Service a head start on the study authorized by S. 164.

S. 164 would authorize a study of sites in Arizona, California, and other States that are significant to the life of César Chávez and the farm labor movement in the western United States to determine appropriate methods for preserving and interpreting sites. Through this study, the National Park Service could examine whether certain sites are suitable and feasible for addition to the National Park System. The study would be conducted in accordance with the criteria for new area studies contained in Title III of the National Parks Omnibus Management Act of 1998.

The study also would consider whether any sites meet the criteria for listing on the National Register of Historic Places or for designation as a National Historic Landmark. This would enable the National Park Service to complete the work that was begun with the preliminary assessment described earlier. The legislation specifically requires that the National Park Service consult with the César E. Chávez Foundation, the United Farm Workers Union, and other entities involved in historic preservation on this study. The study is estimated to cost approximately \$250,000.

The Department recommends one minor amendment to S. 164, which is on the page attached to this testimony. This amendment would provide for the study to be completed within three years after funding is made available for that purpose, rather than three years after enactment of this legislation.

Amendment to S. 164 Proposed by the National Park Service

Page 3, line 23: Strike "of enactment of this Act" and insert "funds are made available for this purpose".

S. 328

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 328, a bill to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area."

The Department supports S. 328. This legislation would provide a name for Catoctin Mountain Park that is appropriate for the purpose and use of this unit of the National Park System, and it also would update the authorities for administering this park.

Catoctin Mountain Park had its origins as one of 46 Great Depression-era Recreational Demonstration Areas established by the Resettlement Administration, which was authorized under the National Industrial Recovery Act (1933) and Executive Orders of President Franklin D. Roosevelt. The Resettlement Administration acquired and developed Recreational Demonstration Areas across the nation to provide accessible, low-cost, quality outdoor recreation opportunities. They were used for day trips, picnicking, and overnight camping by families, social groups, and public organizations.

Catoctin Recreational Demonstration Area, which comprised approximately 20,000 acres, was acquired after the area had sustained years of charcoal production, mountain farming, and harvesting of trees for timber. The Works Progress Administration and the Civilian Conservation Corps administered projects at Catoctin both to put people back to work and to establish an outdoor recreation area for the urban dwellers of nearby Washington, D.C. and Baltimore, Maryland. Jurisdiction over the Catoctin Recreational Demonstration Area was transferred to the National Park Service in 1935 by Executive Order.

In 1942, one of the cabin camps built at Catoctin, Camp Hi-Catoctin, was selected by President Roosevelt as the Presidential Retreat we know today as Camp David. Catoctin's distinctive history also includes serving as an O.S.S. training camp during World War II, and having the first Job Corps camp in the United States and the nation's oldest camp for the disabled.

In 1954, approximately 4,400 acres of the area was transferred to the State of Maryland and became Cunningham Falls State Park. That same year, the Director of the National Park Service approved the renaming of Catoctin Recreational Demonstration Area as "Catoctin Mountain Park" and Congress provided authority to exchange lands to consolidate holdings in the park. Catoctin Mountain Park is currently 5,810 acres in size and has an average annual visitation of 700,000. The park, consisting largely of eastern hardwood forest, has many attractions for visitors: camping, picnicking, fishing, 25 miles of hiking trails and scenic mountain vistas.

The proximity of Catoctin Mountain Park, Camp David, and Cunningham Falls State Park has caused longstanding confusion for visitors to the area. Catoctin Mountain Park is continually misunderstood as being closed to the public because of the presence of Camp David. Renaming the park as a "national recreation area" would offer an opportunity to reintroduce the park as an area that is open to public recreation. The public also has difficulty understanding why there is a difference between the activities permitted at Catoctin Mountain Park and those permitted at

Cunningham Falls State Park. Including the word "national" in the name of Catoctin Mountain Park would facilitate efforts to educate the public about these differences and to emphasize the value the National Park Service places on protecting cultural and natural resources for future generations.

In addition, the name "national recreation area" would also help distinguish Catoctin Mountain Park from other local attractions, such as the privately-owned Catoctin Wildlife Preserve and Zoo, which are often confused with the park. And, the name change would enhance the efforts of the Maryland Office of Tourism Development and local tourism officials to promote the presence of the five National Park System units located in Frederick County, one of which is Catoctin Mountain Park.

In addition to changing the name of the Catoctin Mountain Park, S. 328 would provide the usual authorities that are included when a new unit of the National Park System is established. These provisions will make it easier for the National Park Service to administer the unit than continuing to rely on the piecemeal authorities that were granted since the 1930's. The authorities provided by S. 328 include formally establishing a boundary, permitting land acquisition within the boundary, providing for administration of the unit in accordance with laws governing the National Park System, and authorizing appropriations for the park. These provisions will ensure that the park is able to continue to appropriately administer the park's significant historic resources and important natural areas. The costs associated with this legislation would be negligible.

We are currently reviewing previous authorities for Catoctin Mountain Park to determine whether any of them should be repealed in conjunction with providing the new authority for the park under S. 328. We will advise the subcommittee of our findings as soon as possible.

S. 347

Mr. Chairman, thank you for the opportunity to present the Department's views on S. 347, a bill to direct the Secretaries of Interior and Agriculture to conduct a joint special resources study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor, in the Los Angeles region, as a unit of Santa Monica Mountains National Recreation Area.

The Department supports this bill with the minor clarification provided in this testimony. We believe that this study will provide a good opportunity to explore partnerships with a wide range of state, local, private, and other federal entities for the purpose of protecting and interpreting important natural and cultural resources.

On July 18, 2002, the Department testified on S. 2571, a similar bill that would have directed the Secretary of the Interior to study the Rim of the Valley for addition to Santa Monica Mountains National Recreation Area. In our testimony, we recommended that the bill be amended to make the study a joint study between the Secretaries of Interior and Agriculture and we suggested that the provision that established a 17-member advisory commission was unnecessary. At the committee markup, S. 2571 was amended incorporating the department's suggestions. S. 347 is identical to S. 2571 as it was amended in the 107th Congress.

S. 347 directs the Secretaries of Interior and Agriculture to conduct a joint Special Resource Study of the Rim of the Valley Corridor in Southern California. S. 347 further requires that the study evaluate the suitability and feasibility of establishing the area as a unit of the Santa Monica Mountains National Recreation Area. The Secretaries are directed to use the criteria for study of areas for inclusion in the National Park System and to consult with appropriate State, county, and local governments. The study is estimated to cost approximately \$500,000.

The National Park Service generally conducts special resource studies to evaluate the suitability and feasibility of an area to become a new unit of the National Park System. We understand that the intent of this bill is not to establish a new park, but rather to study the Rim of the Valley as a potential addition for Santa Monica Mountains National Recreation Area. As such, we suggest that "Special Resource Study" be replaced with "resource study" in all places where it appears in the bill. We would be happy to work with the subcommittee staff to develop any additional clarifying language that may be required.

The study would assess habitat quality, access to urban open space, low-impact recreation and educational uses, wildlife and habitat restoration and protection and watershed improvements along the Rim of the Valley corridor surrounding the San Fernando and La Crescenta Valleys. This corridor consists of portions of the Santa Monica Mountains, Santa Susanna Mountains, San Gabriel Mountains, Verdugo Mountains, San Rafael Hills and the connector to Los Padres, Angeles, and San Bernardino National Forests, which provide notable recreation opportunities close to the Los Angeles basin.

In addition to natural and recreational opportunities, the area also includes properties found on the National Register of Historic Places. Old stagecoach stops and images of the Wild West still exist. Amtrak's Coast Starlight line travels past many of these rich cultural and natural motifs. The area supports a diverse system of plants and animals, including 26 distinct plant communities and more than 400 vertebrate species.

As the largest urban park area in the National Park System, the Santa Monica Mountains National Recreation Area includes 153,750 acres and provides recreational opportunities for approximately 530,000 visitors annually. During the 25 years since the national recreation area was authorized by Congress, this unit has become a model of collaboration of many local, state, and federal public land managers, as well as many private property owners—all working together as stewards of the scenic, natural, cultural, and recreational resources.

Recognizing the limitation of federal resources for acquiring and managing additional lands, the study would have to examine a number of alternatives for protecting significant areas of open space in the Rim of the Valley Corridor, including those that involve minimal cost to the federal government. With the study area encompassing 491,518 acres, the study would emphasize public-private partnerships. Given the large size and the diversity of stakeholders in the area, the study undertaken by the National Park Service would involve extensive outreach with members of the public, private landowners, and local governments. It would likely entail extended comment periods, and extensive analysis.

S. 425

Mr. Chairman, thank you for the opportunity to present the views of the Department on S. 425, a bill to revise the boundary of Wind Cave National Park in the State of South Dakota.

The Department does not support S. 425 at this time because of the high costs of this boundary expansion. The Department strongly supports the President's commitment to eliminate the deferred maintenance backlog in our national parks. We need to continue to focus our resources on taking care of existing areas in the National Park System.

Wind Cave National Park, established in 1903, is one of the Nation's first national parks and the first cave set aside for protection. The cave itself, after which the park is named, is one of the world's oldest, longest, and most complex cave systems with more than 104 miles of mapped passages. The cave is well-known for its exceptional display of boxwork, a rare honeycomb-shaped formation protruding from the cave's ceilings and walls. While the cave is the focal point of the park, the land above the cave is equally impressive with 28,295 acres of rolling prairie, majestic forests, and pristine creeks. Legislation passed in 1912 established the Wind Cave National Game Preserve creating a permanent national range for buffalo and other Native American game animals as may be placed therein. In 1935, the Wind Cave National Game Preserve was transferred into Wind Cave National Park.

This legislation would authorize the Secretary of the Interior to acquire 5,675 acres adjacent to Wind Cave National Park. A ranching family currently owns 5,555 acres of the land and has indicated they would be willing to sell the property to the United States as a lasting legacy to their father. Another 40 acres of land from a willing seller would preserve a viewshed for the park. The last 80 acres would be an administrative jurisdiction transfer from the Director of the Bureau of Land Management to the Director of the National Park Service. The acquisition cost for the proposal is estimated at \$5 to \$6 million although actual costs will not be known until the land appraisals are completed. In many cases, non-profit groups are willing to purchase the properties and hold them for a short period of time until the National Park Service is able to designate land acquisition funding.

The current annual base funding for Wind Cave National Park is \$1.892 million. If enacted, additional funding would be required due to anticipated increases in the number of FTEs needed for increased wildlife and interpretive responsibilities. In addition, construction funding of \$1.817 million would be necessary for the removal and installation of fencing. This concludes my prepared statement. I will be pleased to answer any questions you or other members of the committee may have.

This concludes my prepared statements. I will be pleased to answer any questions you or other members of the committee may have.

Senator THOMAS. What kind of designation, what kind of sites do you think would be appropriate for this in 164?

Mr. TILLER. César Chávez?

Senator THOMAS. Yes.

Mr. TILLER. Without preempting the efforts of the study, already the National Park Service, working with the César Chàvez Foundation, has conducted a number of meetings to try to establish a time-line and what sites still remain through the part of his life. And it encompasses—as Senator McCain outlined, they cover everything from his birth home to the general store that his family ran for years, to sites associated with his national leadership movement.

That is as far as we have gotten in that before running out of time and money to do that. So, I think there is going to be probably a full range of historic properties we have all throughout the Southwest associated with him.

Senator THOMAS. But would you see 10 different sites being a component of all this?

Mr. TILLER. It is hard to know. This is not certainly my area of scholarship. My understanding is they have already identified, working with Chàvez scholars, and with the United Farm Workers, and with the foundation, I think upwards of 20-some sites they have already identified as still remaining from his life. Now my guess is, based on past experience, those that will be considered nationally significant are probably a very small number of those. But as far as they were able to get, they have been able to find 20-some sites.

Senator THOMAS. And what do you imagine they would be designated as, historic sites or—

Mr. TILLER. The bill gives us the direction to look for those that might be eligible for listing on the National Register of Historic Places, designated as national historic landmarks. And my guess all or most of them would have to be given that honor. Those that might be considered for inclusion on the National Park System, I guess, would be a very tiny number. And I would not want to out-guess the study, if we go forward with it. But my guess is that most of them will be National Register listings or landmark designations.

Senator THOMAS. Are you prepared to move forward with this study, if the bill passes?

Mr. TILLER. Well, given—except given the caveat, as I said, we have 40 studies already in the mill. And so these would have—all with congressional direction. So these would have to get in the rest of the batch, and we will have to move them along as best we can.

Senator THOMAS. I think I asked you before, not you, but some—if you have 40 that you have not done, why do you continue to support additional studies until you catch up with what you are doing?

Mr. TILLER. Well, the best I can understand from talking to the folks in charge of this today, we have 15 to 17 that will probably be presented to this Congress this session. So we are making good progress on that. And many of these studies come, as the Chàvez study has, from a real strong ground swell movement of locals and people desperately interested in having some help from their government to identify and to honor and to preserve these places. So we beat, as best we can, against the wind and do the best job we can.

Senator THOMAS. Well, I understand that. But putting them on your list, if your list is not being done, why, they still do not get finished.

Mr. TILLER. Well, Senator, we are picking away at it. As I said, we are hoping to get 15 to 17 to you all this session. So, we are making progress.

Senator THOMAS. Well, that is good.

Senator, do you have questions?

Senator AKAKA. Yes. I want to thank you for supporting the three bills, S. 164, S. 328, and S. 347. I see where you are not supporting S. 425 the Wind Cave National Park boundary expansion. And yet this bill, as I recall, was passed by unanimous consent already, but it did not pass all the way.

At one time it was supported by the Park Service, and I see where, because of estimated costs of \$5 million to \$6 million and the addition of 5,675 acres, I assume that is the reason why it has opposition. Is there any question that these lands constitute an important addition to the Wind Cave National Park?

Mr. TILLER. No; they are important lands and they are worthy lands.

Senator AKAKA. I also read where, if it were not expanded, it would have adverse effect and destroy some of the important and natural cultural resources that are in this area. Is that correct?

Mr. TILLER. Senator, I do not have that information. But I know these are high quality lands.

Senator AKAKA. The Department continues to recommend that the committee defer action on park bills to address the deferred maintenance backlog. Can you tell me what the estimated dollar figure is for the backlog and how much progress has been made in reducing that amount over the last two years?

Mr. TILLER. The President, Senator, committed \$4.9 billion, based on a 1997 GAO report; \$2.7 billion of that is road infrastructure. And we are in the process right now of reducing that amount. I was trying to get some figures before coming up here today where we are on that, and we are still in the process of trying to pull that information together.

We are dealing with that through budget increases and realignment of expenditures with the Park Service budget annually and also trying to implement some effective management reforms so we do not get in that position again. But the highest marching order that the President has given the National Park Service is to buy down on the \$4.9 billion backlog.

Senator AKAKA. Thank you. Thank you for your responses.

Senator THOMAS. Ms. Solis, glad to have you here.

Ms. SOLIS. Yes.

Senator THOMAS. Would you like to read your comments, please?

**STATEMENT OF HON. HILDA L. SOLIS,
U.S. REPRESENTATIVE FROM CALIFORNIA**

Ms. SOLIS. Yes. Thank you very much, Chairman Thomas, and ranking member, Mr. Akaka. Thank you for allowing me the opportunity to come to speak to you on behalf of the César Chávez study act that has been introduced by Senator McCain. I am the sponsor

of the bill in the House side, H.R. 1034. And I am very happy that this hearing has been set today.

The bill will look for ways to honor César Estrada Chàvez, founder of the United Farm Workers, who was a passionate champion for human and civil rights, as some of you may know. Specifically, this bill directs the National Park Service to recognize Chàvez's contributions to our society by looking for ways to memorialize his life and work through the national historical sites and national parks. It is the first step in honoring his tremendous accomplishments and the local communities where he spent his life as a child and as an adult.

César Chàvez, as many of you know, historically was well known in the Hispanic community throughout this country for his pioneering work on behalf of farm workers, many of whom resided in the area, Delano, where he had many Filipino farm workers working, alongside with him, to help provide fairness and justice for those who worked and toiled in the field.

It is fitting that we recognize him and that we ask the National Park Service to look at areas where he grew up, particularly in Yuma, Arizona. And I believe that is why Senator McCain is very interested in seeing this put forward. I think it is a tribute. Hispanic-Americans look to role models. He is one of those individuals, César Chàvez, who clearly in the eyes of many in our community look to him as a leader, much like Mahatma Gandhi and the works of Martin Luther King. It is fitting now in this time, in this century, that we take a look at his contributions.

I would ask that the committee look favorably on this recommendation and look forward to working with Senator McCain. This should be a bipartisan effort because it is something that should be documented in our history books, as well as our public lands. So I would ask for your support.

Senator THOMAS. Thank you very much for coming over. We appreciate that.

Representative SOLIS. Thank you.

[The prepared statement of Ms. Solis follows:]

PREPARED STATEMENT OF HON. HILDA L. SOLIS, U.S. REPRESENTATIVE
FROM CALIFORNIA

Thank you for the opportunity to testify in favor of the César Estrada Chàvez Study Act, introduced in the Senate by Senator McCain. I am the sponsor of this bill in the House, H.R. 1034, and am very happy that you are considering this important legislation.

This bill will look for ways to honor César Estrada Chàvez, founder of the United Farm Workers and passionate champion of human and civil rights. Specifically, the bill directs the National Park Service recognize Chàvez's contributions to our society by looking for ways to memorialize his life and work through National Historical sites or National Parks. It is the first step in honoring his tremendous accomplishments and the local communities where his footprints were made.

César Chàvez was a humble man. Little did anyone know the greatness that he would bestow on future generations. In his early childhood, César Chàvez was raised as a farm worker in Yuma, Arizona. Raised during the Great Depression, his family lost everything and was forced to join the thousands of farm workers that wandered the Southwest to find work. During his youth, the Chàvez family migrated throughout the Southwest, working in various farms that fed our country. The young César Chàvez experienced first-hand the hardships and injustices of the thousand of farm workers at that time. His home was barely livable and his school hardly fit to be called a schoolhouse. Unfair labor practices—harassment, abuse,

long hours, low pay, hazardous working conditions and limited educational opportunities kept farm workers from being self-sufficient and empowered citizens.

Witnessing and experiencing this lifestyle, César Chávez sought to make changes in the way farm workers were treated. He united many others who also suffered similar atrocities, along with those who empathized with the struggle, to become part of the union movement.

In 1952, he left the fields and joined the Community Service Organization. There he conducted voter registration drives and campaigns against racial and economic discrimination.

In 1962, he took his vast experience, his compassion, and his brothers and sisters in this multi-ethnic struggle and started the National Farmworkers Association—today's United Farmworkers of America. The UFW succeeded in organizing the oppressed. They overcame this oppression through boycotts and pickets—and when all else failed, hunger strikes.

Chávez was a student of Mahatma Gandhi's non-violent philosophies. He knew that you cannot unite people through violent means, but you can connect them by joining hands in peaceful demonstration. Since its inception, the UFW has achieved incredible results through its organization. Fair wages, health care coverage, pension benefits, housing, pesticide regulations, and countless other rights and protections are more a reality because of the UFW and in turn because of its founder—César E. Chávez.

On a personal note, as a young Latina growing up in California, César Chávez was an inspiration to me. His life of service was part of what inspired me to work in government.

In the past, we have honored other heroes, like Martin Luther King, Jr. and the Civil Rights Movement, through national parks and land. The life of César Chávez and his family provides an outstanding opportunity to demonstrate and interpret the history of agricultural labor in the west through the National Parks Service.

I thank the Committee for your time and encourage you to support the César Chávez Study Act.

Senator THOMAS. Let us go back to questions then, Mr. Tiller.

You may be excused, if you want, or you are welcome to stay, of course.

Representative SOLIS. Thank you.

Senator THOMAS. S. 328, Catoctin Mountain Recreation Area, I notice that it has, in the bill, the authority to acquire private lands, or interest in private lands, within the boundary. How many acres of land could potentially be acquired for acquisition over the next 5 years or so?

Mr. TILLER. The boundary that this bill finally establishes draws a line very neatly around all the property that we concurrently own. My understanding is there is one small parcel of land, I think it is about 20 acres, that we are already in the process of acquiring from a willing seller right now. And that should be completed momentarily, as I understand it.

Therefore, everything within the boundary of this park unit are lands that we currently own. And conversely, there is no land that we do not own. So, condemnation or taking lands within this boundary is not an issue. It is all our own property now.

Senator THOMAS. Why do you have authority to acquire then?

Mr. TILLER. Standard authorities that we are sort of backfilling with this bill much needed gives us the opportunity to make small, marginal changes to the boundary incrementally—

Senator THOMAS. This says land within the boundary of the recreation area.

Mr. TILLER. I understand. It is not correct, sir. All the land within the boundary we do own, except for this one parcel that we have a willing seller for; and we are in the process of buying that right now.

Senator THOMAS. So, what do you propose to do with this language?

Mr. TILLER. Well, I will have to get back to you. I did not study that for a re-write.

Senator THOMAS. It says within the boundary.

Mr. TILLER. I understand.

Senator THOMAS. Okay. I do not have anything further on that bill. Did you, Senator?

Senator AKAKA. No.

Senator THOMAS. No more questions? Okay.

Senator AKAKA. Mr. Chairman, I would ask that Senator Daschle's and Senator Johnson's statements in support of S. 425 on the Wind Cave National Park expansion be included in the record.

Senator THOMAS. All right, sir. We will do that. Thank you.

On the Rim of the Valley study, how many acres of land does this addition or—totally represent, should this bill's proposal be completed?

Mr. EDMISTON. Mr. Chairman, our GIS information shows that 410,496 acres would be added.

Senator THOMAS. What does that portion that is now forest, managed by the Forest Service—would that still remain managed by the Forest Service?

Mr. EDMISTON. Yes.

Senator THOMAS. What difference does it make, then, if it is in this category?

Mr. EDMISTON. Well, I think, first of all, there is significant lands that are between the Forest Service and the National Park Service. As you can see on this map, the map which used to be there—

Senator THOMAS. I have a map.

Mr. EDMISTON [continuing]. There is a connection there, including a portion of the San Gabriel Mountains and the Santa Susana Mountains, in connection into the Simi Hills and then into the Santa Monica Mountains proper, that is not under any kind of Federal protection. And that is a significant connectivity from a biological standpoint.

And as I said, I think we have two of the Nation's premier natural resource entities, the Forest Service and the Park Service. And we think the genius of this bill is that it directs both of them to get together and figure out what the best way of managing is. And I do not think we can presuppose and predetermine the outcome of that study.

Senator THOMAS. Even including now, in the present outline there, how much of that is private land that is within the corridor of your current recreation area?

Mr. EDMISTON. I do not have that breakdown. But you can see in the darker green, the light green area is national forest property. And the darker green area is publicly owned property. And some of that is National Park Service. And the great majority of that actually is the State of California.

Senator THOMAS. Well, that green is mostly State parks, is it not?

Mr. EDMISTON. Yes, although there is approximately, I guess, right now about 30,000 acres that is part of the National Park Sys-

tem. And then the remainder is a combination of State parks and lands owned by the Santa Monica Mountains Conservancy.

Senator THOMAS. And privately owned lands interspersed, as well?

Mr. EDMISTON. Yes.

Senator THOMAS. Then in this section that runs on up towards the top there—

Mr. EDMISTON. Actually, I have been presented with the information about this: 47 percent is publicly owned and 53 percent is privately owned.

Senator THOMAS. What conditions are there over the private land, any? There are not conservation easements or whatever?

Mr. EDMISTON. No. There are virtually no conservation easements that have been acquired. Almost—because of the nature of this property, you are talking about 90 percent of the values, the development value, anyway. There is precious little agriculture at all in this area.

Senator THOMAS. Who manages this current Santa Monica Mountain Recreation Area?

Mr. EDMISTON. The recreation area itself is a combination of National Park Service, State park system, and Santa Monica Mountains Conservancy properties.

Senator THOMAS. Who pays for the management of it?

Mr. EDMISTON. The National Park Service, everyone in the country, the State park system, everyone within the State of California.

Senator THOMAS. How is that divided, roughly? Is it, do you know, half and half?

Mr. EDMISTON. Each of the three management entities have roughly 150 employees. And so we are talking about roughly 350 employees, 150 from the National Park Service, 150 from State parks. And that is the State government contribution, Santa Monica Mountain Conservancy. All of our sources are local sources. We do not have actually State money. So you have roughly one-third State, one-third local, and one-third national.

Senator THOMAS. Well, this is a huge project. There is no question about that. And now this is a study, of course, is it not, to determine—

Mr. EDMISTON. Right.

Senator THOMAS. And the Park Service is in favor of this bill?

Mr. TILLER. Yes, sir; we are.

Senator THOMAS. What about the study? Are you prepared to do that, then?

Mr. TILLER. We are prepared to do that. We have estimated the cost. Given the very extensive public comment it is going to require and time to do that, given all the varied interests and stakeholders, there are around \$500,000.

Senator THOMAS. And you have that money in your pocket?

Mr. TILLER. I do not have it in my pocket but it will be in the budget, we hope.

[Laughter.]

Senator THOMAS. Okay. Well, certainly as a study, it is a reasonable thing. It is unusual. I suppose, at some time, we have to give some thought to what is appropriate for the National Park Service to be involved in and what is appropriate for the State to do or the

local people. Since it is right in your State and so many private things involved, why would this not make a good State activity?

Mr. EDMISTON. Well, we have been working pretty darn hard, Mr. Chairman, since 1983, to do what we can. The significance of this area really is the Mediterranean ecosystem, which is a unique ecosystem. Some people simply call it brush. And we now recognize, for the last 30 years, it is one of the most threatened ecosystems in the world. And studies, the International Union for the Conservation of Nature, which is part of the United Nations, has identified the Mediterranean ecosystem as one of the most threatened ecosystems in the world. And the reason is that it is in southern California. The Mediterranean part of it has already been developed. You know, you cannot find a Mediterranean ecosystem left anymore in Italy. It has all been developed.

And in southern California, it is also good to put houses on. And so this is the fast-disappearing ecosystem. And this is the reason we need to recognize it as part of the national park system.

And, Mr. Chairman, last year I read your testimony and was impressed by it, by the comments that you made that the Park Service should really focus in and identify. And one of the criteria in the general authorization act of the Park Service are those properties that are not represented, those ecosystems not currently represented adequately, in the National Park System. And the Mediterranean ecosystem is not adequately represented.

In 1978, when the Santa Monica bill passed, we did not really know the extent of the connectivity of these other mountain ranges. And when that boundary was drawn by Congressman Phil Burton, I was physically present when he drew it. And that was a politically determined boundary. It did not take into account the habitat. This boundary takes into account the habitat.

Senator THOMAS. I guess I do not know what—what did you call it, what kind of a system?

Mr. EDMISTON. Mediterranean ecosystem.

Senator THOMAS. Mediterranean. I thought that was somewhere over in Italy.

Mr. EDMISTON. Well, it was. And you know what? The Romans basically destroyed it. So the Mediterranean ecosystem, as it exists today, exists in southern California and South Africa. And around the Mediterranean, they pretty much—short shrift of it. So, we still have some opportunity left.

And the interesting thing is that the biologists tell us they do have almost as much species diversity in this habitat system as you do, for example, in the rain forest. It just looks a lot different. But it is very significant.

Senator THOMAS. Along with 17 million people.

Mr. EDMISTON. You know, 17 million people and a lot of habitat have managed to coexist. It is an amazing thing.

Senator THOMAS. It is amazing. Well, it is unique. There is no question. I guess I am a little accustomed to national parks that, you know, were set aside before anyone was there except the explorers. And I understand we have different kinds of parks. I also understand that we need to, sort of, identify what the role of the Park Service is over time, and so on.

Well, in any event, this is a study; and we appreciate it. And it will be interesting to see how that works out. The department, then, is opposed to the Wind Cave national boundary exchange?

Mr. TILLER. Yes, Mr. Chairman.

Senator THOMAS. Is that specifically because of the cost?

Mr. TILLER. Yes, Mr. Chairman; yes.

Senator THOMAS. So if Senator Daschle is available to stir up some money, I suppose that would be a different idea, then?

Mr. TILLER. I would not presume to say.

Senator THOMAS. Other than that, has the park looked at this? Is this something that, aside from the cost, is a reasonable thing to do, in terms of the resource?

Mr. TILLER. Yes, sir. These parcels of land were identified in our approved GMP for the park as valuable additions to the park unit. It is the cost and the President's commitment to reducing the backlog that prevents us from supporting it at this time.

Senator THOMAS. I see. I see it would provide for continued grazing for cattle.

Mr. TILLER. Right now, my understanding is, sir, that there is no cattle grazing on either of the parcels. There are bison herds. The Casey family, who owns the largest piece of the land in question, are grazing bison at the moment. There are no cattle.

Senator THOMAS. It says continued grazing of livestock. I do not know what that means. I have been through a little problem with cattle grazing in the park, as you know.

Mr. TILLER. I understand.

Senator THOMAS. And I do not think it is a bad idea. But some people do. All right. Well, did you have anything further to add?

Mr. TILLER. Thank you very much.

Senator THOMAS. Mr. Edmiston?

Mr. EDMISTON. Thank you very much, Mr. Chairman.

Senator THOMAS. Thank you for being here. We appreciate it very much.

Senator, anything further?

Senator AKAKA. Nothing further, Mr. Chairman.

Senator THOMAS. Very well. If we have any further questions, we will submit them. And thank you for being here. And we adjourn the committee.

[Whereupon, at 3:17 p.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

TOURISM COUNCIL OF FREDERICK COUNTY, INC.
Frederick, MD, January 24, 2003.

Hon. PAUL SARBANES,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATOR SARBANES: On behalf of the more than two hundred members of the Tourism Council of Frederick County (MD), Inc., I am writing in enthusiastic support of your efforts to re-designate Catoctin Mountain Park as the Catoctin Mountain National Recreation Area.

Frederick County is blessed with the wonderful Federal and State parks in the northern end of our county and these draw hundreds of thousands of visitors each year. Our organization operates the Frederick Visitor Center. The Visitor Center staff can attest to the popularity of the parks, but also spends a good deal of time sorting them out for visitors. Catoctin Mountain Park is frequently confused with the adjacent Cunningham Falls State Park. This has been the case for decades.

We believe that adding the designation "National" to the name of Catoctin Mountain Park will help make the distinction between the neighboring parks, as well as providing recognition that Catoctin Mountain is a unit of the National Park Service. Designating Catoctin Mountain as a National Recreation Area further clarifies the offerings of this wonderful facility. As you know, the rich history of the park is complemented by varied outdoor recreation opportunities including hiking, camping, fishing, picnicking and cross-country skiing.

Frederick County is proud to be home to the bulk of Catoctin Mountain Park and we believe that designation as Catoctin Mountain National Recreation Area will further our efforts to promote tourism in our area of Maryland. We appreciate your initiative in submitting legislation to effect this change, and we appreciate your continued support of the heritage and natural resources of our State.

Sincerely,

JOHN J. FIESELER,
Executive Director.

BOARD OF COUNTY COMMISSIONERS,
Frederick County, MD, February 6, 2003.

Hon. PAUL S. SARBANES,
U.S. Senate, Hart Senate Office Building, Washington, DC.

Re: Renaming Catoctin Mountain Park

DEAR SENATOR SARBANES: On behalf of the Board of County Commissioners of Frederick County, Maryland, I am writing regarding your proposed bill regarding the renaming of the Catoctin Mountain Park.

During their meeting on Thursday, February 6, 2003, the Board of County Commissioners unanimously voted to support the proposed bill that would rename the Catoctin Mountain Park to the "Catoctin Mountain National Recreation Area."

We thank you for the opportunity to comment on this important legislation. If you need anything further, please do not hesitate to contact me at (301) 694-1028.

Sincerely,

JOHN L. THOMPSON, JR.,
President.

STATEMENT OF JOHN L. COOPER, CABINET SECRETARY, DEPARTMENT OF GAME,
FISH AND PARKS, STATE OF SOUTH DAKOTA

Mr. Chairman, my name is John L. Cooper. I am the Cabinet Secretary for the State of South Dakota, Department of Game, Fish and Parks. I want to thank you for the opportunity to provide written testimony on behalf of the South Dakota Department of Game, Fish and Parks (GF&P) concerning S. 425, to expand the boundary of Wind Cave National Park in South Dakota.

GF&P supports S. 425. State concerns and conditions that were put forth to the National Park Service in anticipation of this boundary expansion have been answered to our satisfaction. The working relationship between Wind Cave National Park (Wind Cave) and the State of South Dakota has been excellent and with continued cooperation we can continue to address the complex needs of land and wildlife management in the Wind Cave area.

There are two primary issues that have been addressed:

- Cooperative Elk Management Plan

In June 2002, GF&P entered into a Memoranda of Understanding (MOU) with the National Park Service to establish standards in the project planning and National Environmental Policy Act (NEPA) process for development of an elk management plan for Wind Cave. While management jurisdiction is clearly defined by park boundaries, animals freely cross back and forth between these boundaries. Concerns were put forth, and are now being addressed, on a potentially over-population of elk in the Wind Cave and its affect on surrounding areas. Of particular concern have been complaints from private landowners of property depredation by elk and deer. Thus requires a regional approach to address elk management from the standpoint of Wind Cave, the State of South Dakota, and private landowners. Scientific data on elk populations, movements, habitat and carrying capacity are now being implemented. GF&P is continuing efforts with Wind Cave to develop a regional long-term elk management plan.

- Chronic Wasting Disease

As part of that same MOU, a plan has been formulated and put in place to address the potential for chronic wasting disease (CWD), a disease that is lethal to elk and deer. A positive test was returned on an elk from within the Wind Cave boundaries in 2002, and CWD has been documented on the property proposed for acquisition to complete the boundary expansion. It will be vital to carry on long-term monitoring and research of CWD in the expanded Wind Cave boundary area. This will include installing and maintaining quality fences to keep lands potentially affected with CWD segregated from other areas. The potential for spread of CWD must be kept at zero. Work recently began to live-trap deer within Wind Cave for CWD testing to determine the occurrence rate of the disease. There is no live test for elk, but Wind Cave has an elk CWD monitoring plan for any animals which exhibit visual symptoms.

These are the initial steps in this cooperative effort. We understand that the National Park Service will serve as lead agency for the preparation of elk and CWD management plans and associated Environmental Impact Statements in Wind Cave, and will have approval authority and responsibility for any proposed actions within Wind Cave. GF&P will act as a consultant in these management plans, and serve as lead agency in regional management plans. Thus will allow our agencies to effectively coordinate our planning efforts and share expertise on these issues.

Another concern which arose and has subsequently been addressed was the loss of public hunting opportunities should an 880 acre parcel of School and Public Land have been included in the expansion. Alternative "B", which excludes those acres from the Wind Cave boundary expansion, is the chosen alternative and will negate that issue.

Other issues that have been reviewed and will need continued monitoring are weed control (in particular Canada thistle), prairie dog management, and reintroduction of the black-footed ferret. These appear to be headed in a very positive direction and we look forward to working with Wind Cave on these efforts.

The Black Hills of South Dakota is a world-class tourist destination that has tremendous economic benefit for our state. The land has incredible beauty and has been a prime target of private developers. Large tracts of valuable grassland and forest habitat are being lost each year. We support efforts to maintain this vital wildlife habitat.

GF&P has a strong working relationship with Wind Cave. Based on the excellent records our agencies have in cooperation, and on the agreements that have been put forth, we support this action to expand the park boundary in western South Dakota.

This concludes my written testimony. Thank you again for this opportunity.

